

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

Case No. 2:24-cv-86-Z  
District Judge Matthew J. Kacsmaryk

**JOINT MOTION TO HOLD DEFENDANTS' RESPONSIVE PLEADING  
DEADLINE IN ABEYANCE AND ENTER A SCHEDULE**

Now that the Court has issued a preliminary injunction in this matter, ECF No. 48, the parties respectfully move the Court to enter a schedule for further proceedings. Counsel for the parties have conferred and jointly propose the following schedule:

1. In order to promote efficiency, Defendants need not file an answer or other response to the complaint prior to summary judgment briefing. Accordingly, the deadline for Defendants' responsive pleading, which is currently due August 5, 2024, *see* ECF No. 53, shall be held in abeyance.
2. The Department of Education will produce the administrative record to Plaintiffs by September 20, 2024.
3. No more than 21 days after the Department of Education produces the administrative record, the parties will file a joint status report proposing a briefing schedule for cross-motions for summary judgment.

Dated: July 30, 2024.

**KEN PAXTON**

Attorney General of Texas

**BRENT WEBSTER**

First Assistant Attorney General

**RALPH MOLINA**

Deputy First Assistant Attorney General

/s/Ryan D. Walters

**RYAN D. WALTERS**

Chief, Special Litigation Division

Ryan.Walters@oag.texas.gov

**KATHLEEN T. HUNKER**

Special Counsel

Kathleen.Hunker@oag.texas.gov

**GARRETT GREENE**

Special Counsel

Garrett.Greene@oag.texas.gov

Office of the Attorney General of Texas

Special Litigation Division

P.O. Box 12548, Capitol Station

Austin, Texas 78711-2548

Telephone: 512-463-2100

Fax: 512-457-4410

**COUNSEL FOR STATE OF TEXAS**

Respectfully submitted.

**GENE P. HAMILTON**

America First Legal Foundation

611 Pennsylvania Ave. SE #231

Washington, DC 20003

(202) 964-3721

Gene.Hamilton@aflegal.org

**COUNSEL FOR STATE OF TEXAS, DANIEL A.  
BONEVAC & JOHN HATFIELD**

**JONATHAN F. MITCHELL**

Mitchell Law PLLC

111 Congress Avenue, Suite 400

Austin, Texas 78701

(512) 686-3940 (phone)

(512) 686-3941 (fax)

Jonathan@mitchell.law

**COUNSEL FOR DANIEL A. BONEVAC & JOHN  
HATFIELD**

BRIAN M. BOYNTON  
Principal Deputy Assistant Attorney General

EMILY B. NESTLER  
Assistant Branch Director

*/s/ Elizabeth Tulis*

---

ELIZABETH TULIS  
Trial Attorney  
United States Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street NW  
Washington, DC 20005  
Phone: (202) 514-9237  
Fax: (202) 514-9237  
E-mail: elizabeth.tulis@usdoj.gov

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on July 30, 2024, which automatically serves all counsel of record who are registered to receive notices in this case.

*/s/ Elizabeth Tulis*

---

ELIZABETH TULIS